IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

Crl.Rev.Pet.No. 1068 of 2000()

CRA.246/1996 of ADDL.SESSIONS COURT, THODUPUZHA
CC.677/1994 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, THODUPUZHA

.....

REVN. PETITIONER:

K.S.STANCILAVOS, S/O.DEVASSIA,
KUNNAMKOTTU HOUSE, VENGALOOR KARA,
MANAKKAD VILLAGE, THODUPUZHA TALUK

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. A.V.JOY, S/O.VARKEY, ATTUPURATHU HOUSE,
VENGALOOR KARA, PURAPPUZHA VILLAGE,
THODUPUZHA TALUK.

BY ADV. SRI.JOSEPH PUNNOOSE
SRI.B.V.JOY SANKER
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5789/2000 IN CRL.R.P.NO.1068/2000

DISMISSED

SD/- K.R.UDAYABHANU, JUDGE

11/09/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Crl.R.P.No.1068 of 2000

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Dated this the 11th day of September, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.27,500/- and in default to undergo simple imprisonment for three months. It was also directed that the fine amount, if realised, an amount of Rs.26,500/- is to be given to the complainant.

The counsel for the revision petitioner has only sought for modification of the sentence. The cheque amount is Rs.26,500/-. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.30,000/- to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted four months time to remit the amount of compensation. He shall appear before the Judicial Magistrate of the First Class-II, Thodupuzha, on 10/01/2008 to receive the sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Crl.R.P.No.1068 of 2000

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

O R D E R

11th September, 2007